

MINUTES OF APRIL 2, 1923.

The Board of Public Works met at the office of the Board of Public Works, Union Trust Building, Baltimore, on Monday, April 2nd, 1923, at noon.

## Present:

Albert C. Ritchie, Governor  
Wm. S. Gordy, Jr., Comptroller  
John M. Dennis, Treasurer.

The minutes of the meeting of February 8th, were read and approved.

The Board approved the execution of the following supplemental agreement made between the Board of Public Works and the Maryland Historical Society and the Athenaeum for the lease of the building at St. Paul & Saratoga Sts.:

"THIS SUPPLEMENTAL AGREEMENT made this 30th day of March in the year One Thousand nine hundred and twenty-three between the Maryland Historical Society and The Athenaeum, duly incorporated bodies under the laws of the State of Maryland, hereinafter called Lessors, and the Board of Public Works of Maryland, hereinafter called Lessee.

## "WITNESSETH:

That the agreement entered into between the parties hereto for the lease of the premises situated at the northwest corner of St. Paul & Saratoga Sts., in the City of Baltimore on the twenty-first day of April in the year one thousand nine hundred and nineteen (1919), and recorded among the Land Records of the City of Baltimore in Liber SCL. 3359, Folio 493, etc., be, and the same is hereby ratified and confirmed as if fully incorporated herein, excepting as to the following provisions, by which said agreement is hereby amended and supplemented:

"FIRST: The Lessee shall pay an annual rent of NINETY-NINE HUNDRED DOLLARS (\$9900.00) to the Lessors in equal monthly installments on the first day of each month accounting from the first day of October, 1922, said rental representing an increase of NINETEEN HUNDRED DOLLARS (\$1900.00) annually over and above the amount fixed in said agreement dated the 21st day of April in the year One thousand nine hundred and nineteen.

"SECOND: In consideration of the payment by the Lessee of the increased rent herein provided for the Lessee shall have the right to purchase said demised premises in fee at any time during the term of the lease, or at its termination on April 30, 1929, at and for the sum of ONE HUNDRED AND TWENTY FIVE THOUSAND DOLLARS (\$125,000.00); and the Lessors hereby agree upon the payment of said sum of ONE HUNDRED AND TWENTY-FIVE THOUSAND DOLLARS (\$125,000) to convey said demised premises in fee to the Lessee; and agree further that the deed shall contain a property warranty of title and a covenant against encumbrances.

"THIRD: In the event that the Lessors desire to sell said demised premises at any time during the term of the lease, the Lessors shall first give the Lessee the right to purchase at the option price of ONE HUNDRED AND TWENTY-FIVE THOUSAND DOLLARS (\$125,000.00), or at any lesser sum which the Lessors may be willing to take from the Lessee, or from any other person, in consideration of effecting an immediate sale; if the Lessee does not desire to buy at that time, then the Lessors shall have the right to sell said demised premises subject to the terms of the agreement dated the 21st day of April in the year One thousand nine

hundred and nineteen (1919), it being further understood and agreed that if said demised premises are sold to any person other than the Lessee the increase in rent provided for in Paragraph One of this supplemental agreement shall cease, and beginning from the date of sale the rent shall be the sum of EIGHT THOUSAND DOLLARS (\$8000.00) per annum, as provided for in the agreement dated the 21st day of April in the year One thousand nine hundred and nineteen (1919); if, however, the Lessee decides to buy said demised premises from the Lessors at any time during the term of the lease, or at its termination thereof, either for the option price of ONE HUNDRED AND TWENTY-FIVE THOUSAND DOLLARS (\$125,000.00) or for any lesser amount which the Lessors may be willing to take in order to effect an immediate sale, and if no funds are available to make the payment therefor, the Lessors agree to await payment from the Lessee until an appropriation made by the next succeeding General Assembly shall become available for the purpose, which appropriation shall include interest from the date of the agreement of sale to and including the date when the Lessee makes payment and takes title to the demised premises.

WITNESS the corporate seal of each of the Lessors, and the GREAT SEAL OF THE STATE OF MARYLAND and the names hereto of the said body corporate Lessors, over the signatures of their respective officers, duly attested, and the signature of Albert C. Ritchie, the Governor of Maryland and the Chairman of the Board of Public Works of Maryland in duplicate.

THE MARYLAND HISTORICAL SOCIETY.

TEST:

By W. Hall Harris  
President.

J. Appleton Wilson  
Secretary.

THE ATHENAEUM.

By Clinton L. Riggs  
Chairman of its Trustees  
and President.

Wm. C. Page  
Secretary.

THE BOARD OF PUBLIC WORKS OF MARYLAND.

By Albert C. Ritchie  
The Governor of Maryland,  
Chairman.

Secretary.

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY That on this 30th day of March in the year one thousand nine hundred and twenty-three, before me, the subscriber, a Notary Public of said State, in and for Baltimore City aforesaid, personally appeared W. Hall Harris, President of the Maryland Historical Society, and acknowledged the foregoing lease to be the act and deed of said Society, and at the same time also appeared Clinton L. Riggs, Chairman and President of the Trustees of the Athenaeum, and acknowledged the said lease to be the act and deed of said Athenaeum.

WITNESS my hand and seal Notarial.

Mabel G. Norris  
Notary Public.

STATE OF MARYLAND, ANNE ARUNDEL COUNTY, TO WIT:

I HEREBY CERTIFY That on this 30th day of March, in the year one thousand nine hundred and twenty-three, before me, the subscriber, a Notary Public of said State, in and for the County and State aforesaid, personally appeared Albert C. Ritchie, Governor of Maryland, Chairman of said Board of Public Works of Maryland, and acknowledged the foregoing lease to be the act and deed of said Board of Public Works.

WITNESS my hand and seal Notarial.

Margaret A. Baker.  
Notary Public.

The foregoing agreement was made as a result of the following letters:

"Baltimore, September 29, 1922.

Hon. Albert C. Ritchie,  
Union Trust Bldg.,  
Baltimore,  
Maryland.

My dear Governor Ritchie:

Referring to the new lease by the State of the Athaneum Building on the corner of St. Paul and Saratoga Sts., which is now before you for consideration, I respectfully urge that this lease be approved by the Board of Public Works for \$10,000.00 per annum.

The needs of the Historical Society are very great, as this society is running more in debt every year, their income not being adequate to pay the operating expenses by an amount something like \$3500 per annum.

As you know, the new fire-proof building of the society is the depository of the state archives, and without compensation, the society preserves and cares for these documents and thereby is of great value, and entitled to consideration by the state.

When the Society moved from the old Athaneum Building to the new building on Park Avenue and Monument Streets, the Council was under the impression that the old building would still be exempt from taxation, in accordance with the original charter of the Maryland Historical Society. It seems now that in this the Council may have been mistaken, although it is a disputed point, never yet settled by the courts, as to whether under the original charter, the Society is not entitled to exemption from all taxation on their real estate.

When the Athaneum was originally leased to the State, it was, of course, hoped that the Council would receive an income therefrom, but on account of the fact that the Historical Society agreed to pay janitor service, including the cleaning of windows, for fuel and the removal of ashes, water rent, and necessary repairs, in addition to the interest and principal of a loan created for the purpose of making the building suitable for the state; the income from this source is practicably negligible.

In the several years during which the State has occupied this building, the society has received, I believe, only about \$1,000.00, in all; and the balance in bank today will not pay the obligations which I have

"been compelled to assume for repairs and painting, which must be done this fall.

We must also look for increased operating expenses, dur particularly to the high cost of coal, and the fact that our taxes this year have been increased about \$500.00. The exact amount paid for taxes for the year 1922 being \$2,521.56.

In view of the circumstances, and on behalf of the Council of the Maryland Historical Society, I respectfully ask for your prompt approval, so that the society may be in a position to receive the benefit of the increased rental from October 1, 1922.

Very respectfully,

(Sgd.) Clinton L. Riggs,

Chairman of Trustees."

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WILLIAM MARTIEN & COMPANY  
1413 Lexington Building,  
Baltimore, Md.

October 19, 1922.

Hon. Albert C. Ritchie,  
Annapolis, Maryland.

Dear Governor:

As requested, I have given consideration to the proposed option to be granted the State to purchase the Maryland Historical Society property, northwest corner St. Paul and Saratoga Streets, having frontage of 52' on St. Paul Street, with depth of 131' on Saratoga Street, at \$125,000.00 in fee simple, which is to be exercisable on or before April 30, 1929.

The improvements that have already been made in this district, with the tendency for further and more extensive improvements, will produce a marked enhancement in value, and it is my judgment that the property will be well worth \$125,000 by April 30, 1929, and will probably have even greater value by that time. I therefore recommend that the State revise the existing lease on a fair basis to the Historical Society, provided you can reserve the option to buy the property at a price of \$125,000.00 in fee simple within the above indicated period.

Very truly yours,

JCM/W

(Sgd.) Jas. Carey Martien.

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October 20, 1922.

General Clinton L. Riggs,  
Latrobe Apartments,  
Baltimore, Maryland.

Dear General Riggs:

I beg to confirm the oral understanding reached yesterday between the Board of Public Works and yourself, representing the Maryland Historical Society.

Your statement to me of September 29, 1922, entirely confirms what you told me during the last session of

"the Legislature, namely: that the Society's mistaken belief that the building at St. Paul and Saratoga Streets, would, after its lease to the State, continue exempt from taxation, (your annual taxes now amounting to about \$2,500), and other unforeseen and increasing items of expense have resulted in the Society receiving practically no return at all for the present rental of \$8,000 per annum.

It was on this basis that I inserted in the Budget for this and the next fiscal year a proposed increase of \$1,900 in your annual rent, because I felt that it was not fair for the State to ask an Institution, which is not only serving the public, but the State itself as freely and as usefully as yours is, to receive practically no return at all from its lease to the State.

The Board of Public Works is, therefore, prepared to amend the existing lease, or to enter with you into a supplemental lease, whichever seems best, increasing your annual rental, beginning October 1, 1922, from \$8000 to \$9,900, on the following conditions:

1. That if the property is disposed of by the Maryland Historical Society during the present term, then this \$1900 increase will cease, so that the property will pass to the purchaser subject only to the \$8,000 rental.

2. That the State shall have the option to purchase the property in fee at any time during the present lease, or at the termination thereof on April 30, 1929, for \$125,000. In this connection I may add that I have the written opinion of Mr. James Carey Martien, which has been approved by Messrs. Thomas J. Lindsay and William Merriken, that this option of \$125,000 is a proper and advisable amount for the State to agree to.

3. That if the Society desires to sell the property at any time during the present term, you will first give the State the opportunity to purchase the property itself, either for the option price of \$125,000 or for any lesser amount for which you would be willing to sell to your prospective purchaser; and if the Board of Public Works then decides to buy, and if no funds are immediately available the Society will await payment from the State until the next succeeding Legislature makes the necessary appropriation, which appropriation shall include interest from the date you could have sold to your prospective purchaser until the date when the State makes payment, the Governor and the Board of Public Works in the meanwhile pledging that this appropriation will be made.

I await your advice as to whether these arrangements will be satisfactory to the Maryland Historical Society.

Very truly yours,

(Sgd.) Albert C. Ritchie,

R/L

Governor.

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Baltimore, November 11, 1922.

Hon. Albert C. Ritchie,  
Governor of Maryland,  
Union Trust Building,  
Baltimore.

My dear Governor Ritchie:

The first meeting of the Council of the Maryland Historical Society since the receipt of your letter of October 20th, took place yesterday afternoon; and I, therefore, submitted your communication to the Council at this meeting.

"The Council discussed the matter very fully, and then passed a resolution appointing a committee of three, composed of Mr. DeCourcy Thom, Mr. William Page, and myself as chairman, with full power to act as we thought best for the interests of the Society; but at the same time, recommending that we ask for a hearing before the Board of Public Works in order that we may explain our difficulties, and ask for a slight modification as to the terms.

I, therefore, respectfully request that you give our committee a hearing at the next meeting of the Board; and that, if agreeable to you, you request Mr. Anderson to notify me as soon as possible as to the time and place you wish us to appear.

Very sincerely yours,

(Sgd.) Clinton L. Riggs.

November 29, 1923.

General Clinton L. Riggs,  
Latrobe Apartments,  
Baltimore, Maryland.

Dear General Riggs:

After further considering the Maryland Historical Society lease proposition the other day, the Board of Public Works all felt that we should adhere to the proposition as outlined in my letter to you of October 20, 1922. I am very sorry that this does not meet the views of your Committee, but try to console yourself with the idea that things generally work out all right in the end. If possible, I would like to draw up the changes in the lease myself, and I will do this as promptly as I can.

Very truly yours,

(Sgd.) Albert C. Ritchie,

R/L

Governor.

Baltimore, December 19, 1922.

Hon. Albert C. Ritchie,  
Annapolis, Md.

My dear Governor Ritchie:

Owing to press of work, and more or less continuous absence from Baltimore, I find that I have neglected to reply officially to your communication of November 29th.

The special committee is, of course, perfectly willing to accept the decision of the Board of Public Works with regard to the terms of the new lease, as outlined in your letter of October 20th, 1922; and I am sure that a lease drawn by you in accordance with that communication, will also receive the approval of the Council.

We shall be glad, therefore, if you can in the near future find the time to draw up the lease, with the changes as outlined by you.

Yours very sincerely,

(Sgd.) Clinton L. Riggs,  
Chairman, Trustees of Athenaeum.

The Secretary submitted vouchers requesting the following payments out of appropriations contained in Chapter 464 of the Acts of the General Assembly of 1922:

Department of Welfare (Workshop in Penitentiary)	-\$9081.00
University of Maryland (Gym, Armory, Dairy Barn Water & Sewer)	- 5122.68
Board of Welfare (Durling Electric Co.-Printing Shop at Penitentiary)	808.19
University of Maryland (Gym and Armory)	3100.00
Spring Grove State Hospital (Bakery Shop)	5000.00
Board of Welfare (Auto license tags-Architect's fee, remodeling "G" Dormitory)	11287.50
Board of Welfare (Printing Shop)	13743.82
Frainie Bros. & Haigley (Montrose School for Girls)	4445.60
Board of Welfare (Printing shop)	17106.15
University of Maryland (Gym and Armory - Water & Sewer)	5240.78
Md. Training School for Boys (Water supply)	726.75
Department of Welfare (West Construction Com- pany - Workshop)	1794.60
Board of Welfare (Printing shop)	2520.00
University of Maryland (Stadium, Gym & Armory- Water & Sewer)	6074.08

The action of the Secretary in issuing the checks of the Board of Public Works in payment of the above amounts was approved.

The Board approved the payment of the following bills by the Secretary:

February 15, 1923.

STENOGRAPHER

To Miss Mary E. Harrington - Stenog.services, Feb. \$50.00

February 15, 1923.

RENT, STATE OFFICES IN BALTIMORE CITY.

March, 1923.

Board of Public Works . . . . .	\$231.25	
State Comptroller . . . . .	52.92	
State Auditor . . . . .	105.82	
The Bank Commissioner . . . . .	169.58	
Board of State Aid & Charities . . . . .	105.82	
The Parole Commissioner . . . . .	105.00	
State Plumbing Board . . . . .	50.00	
Central Purchasing Bureau . . . . .	257.08	
State Board of Health . . . . .	125.00	\$1202.47

February 15, 1923.

TELEGRAPH AND TELEPHONE.

To - The Chesspeake & Potomac Telephone  
Co. -Service Plaza 4300-January, 1923 71.68

STATE OFFICE SUPPLIES AND STATIONERY.

To - Balto. Towel Supply Company -Towel  
service, Comptroller's Office,  
Union Trust Bldg. 1/15/23-1/31/23 1.70

February 26, 1923.RENT, SAFETY DEPOSIT BOXES, TREASURY.

To - Safe Deposit & Trust Co. -Rent of  
safe to State from 2/17/23-24 \$350.00

February 27, 1923.STATE OFFICE SUPPLIES AND STATIONERY.

To - Hon. Wm. S. Gordy, Jr. - Furniture  
for State Comptroller's office, Baltimore \$465.25

March 1, 1923.TELEGRAPH AND TELEPHONE.

To - Union Trust Co. of Md. Telephone  
service, offices Bd. of Public Works,  
December, 1922-January, 1923 \$ 54.55

March 5, 1923.STATE OFFICE SUPPLIES AND STATIONERY.

To - American Ice Company, Ice, February,  
1923, Office of Bd. of Public Works \$ 2.40

To - Baltimore Towel Supply Company,  
Towel service, February, 1923, Office  
of Bd. of Public Works 7.85

March 7, 1923.STATE OFFICE SUPPLIES AND STATIONERY.

To Morrow Bros. -Installing ventilators,  
etc., Office of Bd. of Public Works \$126.36

To-Tripure Water Company - Water, February,  
1923, Bd. of Public Works offices. 1.50

TELEGRAPH AND TELEPHONE.

To - Western Union Telegraph Co.  
Telegrams, February, 1923, Board of  
Public Works offices 4.47

March 13, 1923.STATE TOBACCO WAREHOUSE GROUND RENT.

To - Tolson & Tolson, Attys. for  
Estate of Susanna C. Condon \$448.11

March 13, 1923.RENT, STATE OFFICES IN BALTIMORE CITY, April, 1923.

Board of Public Works	-	\$231.25	
State Comptroller	-	52.92	
State Auditor	-	105.82	
Bank Commissioner	-	169.58	
Board of State Aid & Charities	-	105.82	
The Parole Commissioner	-	105.00	
State Plumbing Board	-	50.00	
Central Purchasing Bureau	-	257.08	
State Board of Health	-	125.00	
			\$1202.47



March 15, 1923.

STENOGRAPHER.

To - Miss Mary E. Harrington  
Stenographic services, March '23 \$ 50.00

March 15, 1923.

TELEGRAPH AND TELEPHONE.

To - Chesapeake & Potomac Telephone Co.  
Plaza 4300 - February, 1923 39.87

March 16, 1923.

RENT, SAFETY DEPOSIT BOXES, TREASURY

To - Safe Deposit & Trust Co.  
Rent of safe in vault to State from  
3/8/23 to 3/8/24 5.00

March 23, 1923.

CONTINGENT FUND.

To - Central Savings Bank of Balto.  
Interest on mortgage loan to  
Maryland School for Boys, due 4/6/23 225.00

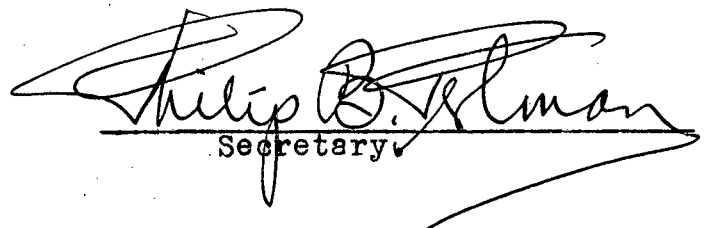
March 24, 1923.

STATE OFFICE SUPPLIES AND STATIONERY.

To - Baltimore Towel Supply Co., Towel  
Service 2/1-2/28/23 for Comp-  
troller's Office, Baltimore 3.40

adjourned.

There being no further business, the meeting

  
Secretary